

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARYAM AYAZI,

Plaintiff,

ORDER
08 CV 2456 (NGG)(LB)

- against -

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

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BLOOM, United States Magistrate Judge:

Plaintiff moves to remove me from one of her cases: 08 CV 2456. See Docket Entry 62.

Although plaintiff claims I have a personal bias against her which I construe under 28 U.S.C. §144, judicial rulings alone almost never constitute a valid basis for a bias or partiality motion. See Liteky v. United States, 510 U.S. 540, 555 (1994). Plaintiff contests rulings I have made, however nothing in those rulings raises any inference of bias or impartiality. Accordingly, plaintiff's motion to remove me from this case based on bias under 28 U.S.C. §§ 144 and 455 is denied.

That being said, plaintiff is correct that she has a related case pending before Magistrate Judge Pollak: 98 CV 7461. Under the related case rule, plaintiff's 08 CV 2456 case should not have been assigned to me, but should have been assigned to Judge Pollak. Therefore, the Clerk of Court is directed to reassign 08 CV 2456 to the Honorable Cheryl L. Pollak.

SO ORDERED.

/Signed by Judge Lois Bloom/

LOIS BLOOM
United States Magistrate Judge

Dated: November 3, 2010
Brooklyn, New York